E–Verify to hold employers accountable, and for other purposes.

S. 321

At the request of Ms. KLOBUCHAR, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 321, a bill to amend title 18, United States Code, to define intimate partner to include someone with whom there is or was a dating relationship, and for other purposes.

S. 391

At the request of Mr. BOOZMAN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 391, a bill to amend the Securities Exchange Act of 1934 to prohibit the Securities and Exchange Commission from requiring an issuer to disclose information relating to certain greenhouse gas emissions, and for other purposes.

S. 431

At the request of Mr. RISCH, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 431, a bill to withhold United States contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and for other purposes.

S. 469

At the request of Ms. ERNST, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 469, a bill to require disclosure of the total amount of interest that would be paid over the life of a loan for certain Federal student loans.

S. 505

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 505, a bill to amend section 212(d)(5) of the Immigration and Nationality Act to reform immigration parole, and for other purposes.

S. 566

At the request of Mr. LANKFORD, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 566, a bill to amend the Internal Revenue Code of 1986 to modify and extend the deduction for charitable contributions for individuals not itemizing deductions.

S. 600

At the request of Mr. JOHNSON, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 600, a bill to amend the Controlled Substance Act to list fentanyl-related substances as schedule I controlled substances.

S. 686

At the request of Mr. THUNE, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 686, a bill to authorize the Secretary of Commerce to review and prohibit certain transactions between persons in the United States and foreign adversaries, and for other purposes.

S. 747

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 747, a bill to authorize the Secretary of Agriculture to provide grants to States, territories, and Indian Tribes to address contamination by perfluoroalkyl and polyfluoroalkyl substances on farms, and for other purposes.

S. 858

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 858, a bill to permit the televising of Supreme Court proceedings.

S. 866

At the request of Ms. HASSAN, the names of the Senator from Maine (Mr. KING), the Senator from Kansas (Mr. MARSHALL) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 866, a bill to amend the Internal Revenue Code of 1986 to enhance tax benefits for research activities.

S. 870

At the request of Mr. PETERS, the names of the Senator from Delaware (Mr. COONS), the Senator from Kansas (Mr. MORAN), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 870, a bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs.

S. 878

At the request of Mr. KENNEDY, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 878, a bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act to modify the offenses relating to fentanyl, and for other purposes.

S. 894

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 894, a bill to require the Secretary of Health and Human Services to collect and disseminate information on concussion and traumatic brain injury among public safety officers.

S. 969

At the request of Mr. YOUNG, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 969, a bill to amend the National Quantum Initiative Act to make certain additions relating to quantum modeling and simulation, and for other purposes.

S. CON. RES. 8

At the request of Ms. STABENOW, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. Con. Res. 8, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 120

At the request of Ms. ERNST, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. Res. 120, a resolution designating March 23, 2023, as ''National Women in Agriculture Day''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. KING, Ms. SMITH, and Ms. SINEMA):

S. 978. A bill to expand the use of open textbooks in order to achieve savings for students and improve textbook price information; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 978

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Affordable College Textbook Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The high cost of college textbooks continues to be a barrier for many students in achieving higher education.

(2) According to the College Board, during the 2022–2023 academic year, the average student budget for college books and supplies at 4-year public institutions of higher education was $1,240.

(3) The Government Accountability Office found that new textbook prices increased 82 percent between 2002 and 2012 and that although Federal efforts to increase price transparency have provided students and families with more and better information, more must be done to address rising costs.

(4) The growth of the internet has enabled the creation and sharing of digital content, including open educational resources that can be freely used by students, teachers, and members of the public.

(5) According to the Student PIRGs, expanded use of open educational resources has the potential to save students more than a billion dollars annually.

(6) Federal investment in expanding the use of open educational resources has lowered college textbook costs and reduced financial barriers to higher education, while making efficient use of taxpayer funds.

(7) Educational materials, including open educational resources, must be accessible to the widest possible range of individuals, including those with disabilities.

SEC. 3. OPEN TEXTBOOK GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) OPEN EDUCATIONAL RESOURCE.—The term ''open educational resource'' has the meaning given the term in section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b).

(3) OPEN TEXTBOOK.—The term ''open textbook'' means an open educational resource or set of open educational resources that either is a textbook or can be used in place of a textbook for a postsecondary course at an institution of higher education.

(4) RELEVANT FACULTY.—The term ''relevant faculty'' means both tenure track and contingent faculty members who may be involved in the creation or use of open textbooks created as part of an application under subsection (d).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(6) SUPPLEMENTAL MATERIAL.—The term ''supplemental material'' has the meaning given the term in section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b).

(b) GRANTS AUTHORIZED.—From the amounts appropriated under subsection (k), the Secretary shall make grants, on a competitive basis, to eligible entities to support projects that expand the use of open textbooks in order to achieve savings for students while maintaining or improving instruction and student learning outcomes.

(c) ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means an institution of higher education, a consortium of institutions of higher education, or a consortium of States on behalf of institutions of higher education.

(d) APPLICATIONS.—

(1) IN GENERAL.—Each eligible entity desiring a grant under this section, after consultation with relevant faculty, shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include a description of the project to be completed with grant funds and—

(A) a plan for promoting and tracking the use of open textbooks in postsecondary courses offered by the eligible entity and across participating members of the consortium, where applicable, including an estimate of the projected savings that will be achieved for students;

(B) a plan for identifying gaps in the open textbook marketplace in courses that are part of degree-granting programs, which may include a plan for evaluating, before creating new open textbooks, whether existing open textbooks could be used or adapted for the same purpose, and in the case that a gap exists, creating new open textbooks;

(C) a plan for quality review and review of accuracy of any open textbooks to be created or adapted through the grant;

(D) a plan for assessing the impact of open textbooks on instruction, student learning outcomes, course outcomes, and educational costs at the eligible entity and across participating members of the consortium, where applicable;

(E) a plan for disseminating information about the results of the project to institutions of higher education outside of the eligible entity, including promoting the adoption of any open textbooks created or adapted through the grant;

(F) a statement on consultation with relevant faculty, including those engaged in the creation of open textbooks, in the development of the application;

(G) a plan for professional development to build the capacity of faculty, instructors, and other staff to adapt and use open textbooks; and

(H) a plan for updating the open textbooks beyond the funded period.

(e) SPECIAL CONSIDERATION.—In awarding grants under this section, the Secretary shall give special consideration to applications that demonstrate the greatest potential to—

(1) achieve the highest level of savings for students through sustainable expanded use of open textbooks in postsecondary courses offered by the eligible entity;

(2) expand the use of open textbooks at institutions of higher education outside of the eligible entity; and

(3) produce—

(A) the highest quality open textbooks;

(B) open textbooks that can be most easily utilized and adapted by faculty members at institutions of higher education;

(C) open textbooks that correspond to the highest enrollment courses at institutions of higher education;

(D) open textbooks created or adapted in partnership with entities within institutions of higher education, including campus bookstores, that will assist in marketing and distribution of the open textbook; and

(E) open textbooks that are accessible to students with disabilities.

(f) USE OF FUNDS.—An eligible entity that receives a grant under this section shall use the grant funds to carry out any of the following activities to expand the use of open textbooks:

(1) Professional development for any faculty and staff members at institutions of higher education, including the search for and review of open textbooks.

(2) Creation or adaptation of open textbooks.

(3) Development or improvement of supplemental materials and informational resources that are necessary to support the use of open textbooks, including accessible instructional materials for students with disabilities.

(4) Research evaluating the efficacy of the use of open textbooks for achieving savings for students and the impact on instruction and student learning outcomes.

(g) LICENSE.—For each open textbook, supplemental material, or informational resource created or adapted wholly or in part under this section that constitutes a new copyrightable work, the eligible entity receiving the grant shall release such textbook, material, or resource to the public under a non-exclusive, royalty-free, perpetual, and irrevocable license to exercise any of the rights under copyright conditioned only on the requirement that attribution be given as directed by the copyright owner.

(h) ACCESS AND DISTRIBUTION.—The full and complete digital content of each open textbook, supplemental material, or informational resource created or adapted wholly or in part under this section shall be made available free of charge to the public—

(1) on an easily accessible and interoperable website, which shall be identified to the Secretary by the eligible entity;

(2) in a machine readable, digital format that anyone can directly download, edit with attribution, and redistribute;

(3) in a format that conforms to accessibility standards under section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), where feasible; and

(4) with identifying information, including the title, edition, author, publisher, copyright date, and International Standard Book Number, if available.

(i) REPORT.—Upon an eligible entity's completion of a project supported under this section, the eligible entity shall prepare and submit a report to the Secretary regarding—

(1) the effectiveness of the project in expanding the use of open textbooks and in achieving savings for students;

(2) the impact of the project on expanding the use of open textbooks at institutions of higher education outside of the eligible entity;

(3) open textbooks, supplemental materials, and informational resources created or adapted wholly or in part under the grant, including instructions on where the public can access each educational resource under the terms of subsection (h);

(4) the impact of the project on instruction and student learning outcomes; and

(5) all project costs, including the value of any volunteer labor and institutional capital used for the project.

(j) ANNUAL REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary shall prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives detailing—

(1) the open textbooks, supplemental materials, and informational resources created or adapted wholly or in part under this section;

(2) the adoption of such open textbooks, including outside of the eligible entity;

(3) the savings generated for students, States, and the Federal Government through projects supported under this section; and

(4) the impact of projects supported under this section on instruction and student learning outcomes.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

SEC. 4. TEXTBOOK PRICE INFORMATION.

Section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b) is amended—

(1) in subsection (b)—

(A) by striking paragraph (6) and inserting the following:

''(6) OPEN EDUCATIONAL RESOURCE.—The term 'open educational resource' means a teaching, learning, or research resource that is offered freely to users in at least one form and that resides in the public domain or has been released under an open copyright license that allows for its free use, reuse, modification, and sharing with attribution.''; and

(B) in paragraph (9), by striking ''textbook that'' and all that follows through the period at the end and inserting ''textbook that may include printed materials, website access, and electronically distributed materials.'';

(2) in subsection (c)(1)—

(A) in the matter preceding subparagraph (A), by striking ''or other person or adopting entity in charge of selecting course materials'' and inserting ''or other person or entity in charge of selecting or aiding in the discovery and procurement of course materials'';

(B) in subparagraph (A), by inserting ''such institution of higher education or to'' after ''would make the college textbook or supplemental material available to''; and

(C) by adding at the end the following:

''(E) Whether the college textbook or supplemental material is an open educational resource.

''(F) For a college textbook or supplemental material delivered primarily in a digital format, a summary of terms and conditions under which a publisher collects and uses student data through the student's use of such college textbook or supplemental material, including whether a student can opt out of such terms and conditions.'';

(3) in subsection (d)—

(A) in the subsection heading, by striking ''ISBN''; and

(B) by striking paragraph (1) and inserting the following:

''(1) verify and disclose, on (or linked from) the institution's Internet course schedule, for each course listed in such course schedule, and in a manner of the institution's

choosing (except that if the institution determines that the disclosure of the information described in this subsection is not practicable or available for a college textbook or supplemental material, then the institution shall indicate the status of such information in lieu of the information required under this subsection)—

''(A) the International Standard Book Number of required and recommended college textbooks and supplemental materials, except that if the International Standard Book Number is not available for such college textbook or supplemental material, then the institution shall include in the Internet course schedule the author, title, publisher, and copyright date for such college textbook or supplemental material;

''(B) the retail price of required and recommended college textbooks and supplemental materials;

''(C) any applicable fee information of required and recommended college textbooks and supplemental materials;

''(D) whether each required and recommended college textbook and supplemental material is an open educational resource; and

''(E) for a college textbook or supplemental material delivered primarily in a digital format, a link to the summary required to be provided by the publisher under subsection (c)(1)(F); and'';

(4) by striking subsection (e) and inserting the following:

''(e) AVAILABILITY OF INFORMATION FOR COLLEGE BOOKSTORES.—

''(1) IN GENERAL.—An institution of higher education receiving Federal financial assistance shall assist a college bookstore that is operated by, or in a contractual relationship or otherwise affiliated with, the institution, in obtaining required and recommended course materials information and such course schedule and enrollment information as is reasonably required to implement this section so that such bookstore may—

''(A) verify availability of such materials;

''(B) source lower cost options, including presenting lower cost alternatives to faculty for faculty to consider, when practicable; and

''(C) maximize the availability of format options for students.

''(2) DUE DATES.—In carrying out paragraph (1), an institution of higher education may establish due dates for faculty or departments to notify the campus bookstore of required and recommended course materials.''; and

(5) in subsection (f)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5); and

(B) by inserting after paragraph (2) the following:

''(3) available open educational resources;''.

SEC. 5. SENSE OF CONGRESS.

It is the sense of Congress that institutions of higher education should encourage the consideration of open textbooks by faculty within the generally accepted principles of academic freedom that establishes the right and responsibility of faculty members, individually and collectively, to select course materials that are pedagogically most appropriate for their classes.

SEC. 6. GAO REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives on the cost of textbooks to students at institutions of higher education. The report shall particularly examine—

(1) the implementation of section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b), as amended by section 4, including—

(A) the availability of college textbook and open educational resource information on course schedules;

(B) the compliance of publishers with applicable requirements under such section; and

(C) the costs and benefits to institutions of higher education and to students;

(2) the change in the cost of textbooks;

(3) the factors, including open textbooks, that have contributed to the change of the cost of textbooks;

(4) the extent to which open textbooks are used at institutions of higher education; and

(5) how institutions are tracking the impact of open textbooks on instruction and student learning outcomes.

By Mr. DURBIN (for himself, Mr. GRASSLEY, Mr. SANDERS, Mr. TUBERVILLE, Mr. BROWN, and Mr. BLUMENTHAL):

S. 979. A bill to amend the Immigration and Nationality Act to reform and reduce fraud and abuse in certain visa programs for aliens working temporarily in the United States, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 979

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''H–1B and L–1 Visa Reform Act of 2023''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—H–1B VISA FRAUD AND ABUSE PROTECTIONS

Subtitle A—H–1B Employer Application Requirements

SEC. 101. MODIFICATION OF APPLICATION REQUIREMENTS.

(a) GENERAL APPLICATION REQUIREMENTS.—Section 212(n)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)(A)) is amended to read as follows:

''(A) The employer—

''(i) is offering and will offer to H–1B nonimmigrants, during the period of authorized employment for each H–1B nonimmigrant, wages that are determined based on the best information available at the time the application is filed and which are not less than the highest of—

''(I) the locally determined prevailing wage level for the occupational classification in the area of employment;

''(II) the median wage for all workers in the occupational classification in the area of employment; and

''(III) the median wage for skill level 2 in the occupational classification found in the most recent Occupational Employment Statistics survey; and

''(ii) will provide working conditions for such H–1B nonimmigrant that will not adversely affect the working conditions of United States workers similarly employed by the employer or by an employer with which such H–1B nonimmigrant is placed pursuant to a waiver under paragraph (2)(E).''.

(b) INTERNET POSTING REQUIREMENT.—Section 212(n)(1)(C) of such Act (8 U.S.C. 1182(n)(1)(C)) is amended—

(1) by redesignating clause (ii) as subclause (II);

(2) by striking ''(i) has provided'' and inserting the following:

''(ii)(I) has provided''; and

(3) by inserting before clause (ii), as redesignated by paragraph (2), the following:

''(i) has posted on the Internet website described in paragraph (3), for at least 30 calendar days, a detailed description of each position for which a nonimmigrant is sought that includes a description of—

''(I) the wages and other terms and conditions of employment;

''(II) the minimum education, training, experience, and other requirements for the position; and

''(III) the process for applying for the position; and''.

(c) WAGE DETERMINATION INFORMATION.—Section 212(n)(1)(D) of such Act (8 U.S.C. 1182(n)(1)(D)) is amended by inserting ''the wage determination methodology used under subparagraph (A)(i),'' after ''shall contain''.

(d) APPLICATION OF REQUIREMENTS TO ALL EMPLOYERS.—

(1) NONDISPLACEMENT.—Section 212(n)(1)(E) of such Act (8 U.S.C. 1182(n)(1)(E)) is amended to read as follows:

''(E)(i) The employer—

''(I) will not at any time displace a United States worker with 1 or more H–1B nonimmigrants; and

''(II) did not displace and will not displace a United States worker employed by the employer within the period beginning 180 days before and ending 180 days after the date of the placement of the nonimmigrant with the employer.

''(ii) The 180-day periods referred to in clause (i) may not include any period of onsite or virtual training of H–1B nonimmigrants by employees of the employer.''.

(2) RECRUITMENT.—Section 212(n)(1)(G)(i) of such Act (8 U.S.C. 1182(n)(1)(G)(i)) is amended by striking ''In the case of an application described in subparagraph (E)(ii), subject'' and inserting ''Subject''.

(e) WAIVER REQUIREMENT.—Section 212(n)(1)(F) of such Act (8 U.S.C. 1182(n)(1)(F)) is amended to read as follows:

''(F) The employer will not place, outsource, lease, or otherwise contract for the services or placement of H–1B nonimmigrants with another employer, regardless of the physical location where such services will be performed, unless the employer of the alien has been granted a waiver under paragraph (2)(E).''.

SEC. 102. NEW APPLICATION REQUIREMENTS.

Section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)), as amended by section 101, is further amended by inserting after subparagraph (G) the following:

''(H)(i) The employer, or a person or entity acting on the employer's behalf, has not advertised any available position specified in the application in an advertisement that states or indicates that—

''(I) such position is only available to an individual who is or will be an H–1B nonimmigrant; or

''(II) an individual who is or will be an H–1B nonimmigrant shall receive priority or a preference in the hiring process for such position.

''(ii) The employer has not primarily recruited individuals who are or who will be H–1B nonimmigrants to fill such position.

''(I) If the employer employs 50 or more employees in the United States—

''(i) the sum of the number of such employees who are H–1B nonimmigrants plus the number of such employees who are nonimmigrants described in section 101(a)(15)(L) does not exceed 50 percent of the total number of employees; and

''(ii) the employer's corporate organization has not been restructured to evade the limitation under clause (i).

''(J) If the employer, in such previous period as the Secretary shall specify, employed 1 or more H–1B nonimmigrants, the employer shall submit to the Secretary the Internal Revenue Service Form W–2 Wage and Tax Statements filed by the employer with respect to the H–1B nonimmigrants for such period.''.

SEC. 103. APPLICATION REVIEW REQUIREMENTS.

(a) TECHNICAL AMENDMENT.—Section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)), as amended by sections 101 and 102, is further amended, in the undesignated paragraph at the end, by striking ''The employer'' and inserting the following:

''(K) The employer.''.

(b) APPLICATION REVIEW REQUIREMENTS.—Section 212(n)(1)(K), as designated by subsection (a), is amended—

(1) in the fourth sentence, by inserting ''and through the Department of Labor's website, without charge.'' after ''D.C.'';

(2) in the fifth sentence, by striking ''only for completeness'' and inserting ''for completeness, indicators of fraud or misrepresentation of material fact,'';

(3) in the sixth sentence—

(A) by striking ''or obviously inaccurate'' and inserting '', presents indicators of fraud or misrepresentation of material fact, or is obviously inaccurate''; and

(B) by striking ''within 7 days of'' and inserting ''not later than 14 days after''; and

(4) by adding at the end the following: ''If the Secretary of Labor's review of an application identifies indicators of fraud or misrepresentation of material fact, the Secretary may conduct an investigation and hearing in accordance with paragraph (2).''.

SEC. 104. H–1B VISA ALLOCATION.

Section 214(g)(3) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(3)), is amended—

(1) by striking the first sentence and inserting the following:

''(A) Subject to subparagraph (B), aliens who are subject to the numerical limitations under paragraph (1)(A) shall be issued visas, or otherwise provided nonimmigrant status, in a manner and order established by the Secretary of Homeland Security, by regulation.''; and

(2) by adding at the end the following:

''(B) The Secretary shall consider petitions for nonimmigrant status under section 101(a)(15)(H)(i)(b) in the following order:

''(i) Petitions for nonimmigrants described in section 101(a)(15)(F) who, while physically present in the United States, have earned an advanced degree in a field of science, technology, engineering, or mathematics from a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) that has been accredited by an accrediting entity that is recognized by the Department of Education.

''(ii) Petitions certifying that the employer will be paying the nonimmigrant the median wage for skill level 4 in the occupational classification found in the most recent Occupational Employment Statistics survey.

''(iii) Petitions for nonimmigrants described in section 101(a)(15)(F) who are graduates of any other advanced degree program, undertaken while physically present in the United States, from an institution of higher education described in clause (i).

''(iv) Petitions certifying that the employer will be paying the nonimmigrant the median wage for skill level 3 in the occupational classification found in the most recent Occupational Employment Statistics survey.

''(v) Petitions for nonimmigrants described in section 101(a)(15)(F) who are graduates of a bachelor's degree program, undertaken while physically present in the United States, in a field of science, technology, engineering, or mathematics from an institution of higher education described in clause (i).

''(vi) Petitions for nonimmigrants described in section 101(a)(15)(F) who are graduates of bachelor's degree programs, undertaken while physically present in the United States, in any other fields from an institution of higher education described in clause (i).

''(vii) Petitions for aliens who will be working in occupations listed in Group I of the Department of Labor's Schedule A of occupations in which the Secretary of Labor has determined there are not sufficient United States workers who are able, willing, qualified, and available.

''(viii) Petitions filed by employers meeting the following criteria of good corporate citizenship and compliance with the immigration laws:

''(I) The employer is in possession of—

''(aa) a valid E-Verify company identification number; or

''(bb) if the enterprise is using a designated agent to perform E-Verify queries, a valid E-Verify client company identification number and documentation from U.S. Citizenship and Immigration Services that the commercial enterprise is a participant in good standing in the E-Verify program.

''(II) The employer is not under investigation by any Federal agency for violation of the immigration laws or labor laws.

''(III) A Federal agency has not determined, during the immediately preceding 5 years, that the employer violated the immigration laws or labor laws.

''(IV) During each of the preceding 3 fiscal years, at least 90 percent of the petitions filed by the employer under section 101(a)(15)(H)(i)(b) were approved.

''(V) The employer has filed, pursuant to section 204(a)(1)(F), employment-based immigrant petitions, including an approved labor certification application under section 212(a)(5)(A), for at least 90 percent of employees imported under section 101(a)(15)(H)(i)(b) during the preceding 3 fiscal years.

''(ix) Any remaining petitions.

''(C) In this paragraph the term 'field of science, technology, engineering, or mathematics' means a field included in the Department of Education's Classification of Instructional Programs taxonomy within the summary groups of computer and information sciences and support services, engineering, biological and biomedical sciences, mathematics and statistics, and physical sciences.''.

SEC. 105. H–1B WORKERS EMPLOYED BY INSTITUTIONS OF HIGHER EDUCATION.

Section 214(g)(5) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(5)) is amended by striking ''is employed (or has received an offer of employment) at'' each place such phrase appears and inserting ''is employed by (or has received an offer of employment from)''.

SEC. 106. SPECIALTY OCCUPATION TO REQUIRE AN ACTUAL DEGREE.

Section 214(i) of the Immigration and Nationality Act (8 U.S.C. 1184(i)) is amended—

(1) in paragraph (1), by amending subparagraph (B) to read as follows:

''(B) attainment of a bachelor's or higher degree in the specific specialty directly related to the occupation as a minimum for entry into the occupation in the United States.''; and

(2) by striking paragraph (2) and inserting the following:

''(2) For purposes of section 101(a)(15)(H)(i)(b), the requirements under this paragraph, with respect to a specialty occupation, are—

''(A) full State licensure to practice in the occupation, if such licensure is required to practice in the occupation; or

''(B) if a license is not required to practice in the occupation—

''(i) completion of a United States degree described in paragraph (1)(B) for the occupation; or

''(ii) completion of a foreign degree that is equivalent to a United States degree described in paragraph (1)(B) for the occupation.''.

SEC. 107. LABOR CONDITION APPLICATION FEE.

Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)), as amended by sections 101 through 103, is further amended by adding at the end the following:

''(6)(A) The Secretary of Labor shall promulgate a regulation that requires applicants under this subsection to pay a reasonable application processing fee.

''(B) All of the fees collected under this paragraph shall be deposited as offsetting receipts within the general fund of the Treasury in a separate account, which shall be known as the 'H–1B Administration, Oversight, Investigation, and Enforcement Account' and shall remain available until expended. The Secretary of the Treasury shall refund amounts in such account to the Secretary of Labor for salaries and related expenses associated with the administration, oversight, investigation, and enforcement of the H–1B nonimmigrant visa program.''.

SEC. 108. H–1B SUBPOENA AUTHORITY FOR THE DEPARTMENT OF LABOR.

Section 212(n)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)) is amended—

(1) by redesignating subparagraph (I) as subparagraph (J); and

(2) by inserting after subparagraph (H) the following:

''(I) The Secretary of Labor is authorized to take such actions, including issuing subpoenas and seeking appropriate injunctive relief and specific performance of contractual obligations, as may be necessary to ensure employer compliance with the terms and conditions under this subsection. The rights and remedies provided to H–1B nonimmigrants under this subsection are in addition to any other contractual or statutory rights and remedies of such nonimmigrants and are not intended to alter or affect such rights and remedies.''.

SEC. 109. LIMITATION ON EXTENSION OF H–1B PETITION.

Section 214(g)(4) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(4)) is amended to read as follows:

''(4)(A) Except as provided in subparagraph (B), the period of authorized admission of a nonimmigrant described in section 101(a)(15)(H)(i)(b) may not exceed 3 years.

''(B) The period of authorized admission of a nonimmigrant described in subparagraph (A) who is the beneficiary of an approved employment-based immigrant petition under section 204(a)(1)(F) may be authorized for a period of up to 3 additional years if the total period of stay does not exceed six years, except for an extension under section 104(c) or 106(b) of the American Competitiveness in the Twenty-first Century Act of 2000 (8 U.S.C. 1184 note).''.

SEC. 110. ELIMINATION OF B–1 VISAS IN LIEU OF H–1 VISAS.

Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)) is amended by adding at the end the following:

''(12) Unless otherwise authorized by law, an alien normally classifiable under section 101(a)(15)(H)(i) who seeks admission to the United States to provide services in a specialty occupation described in paragraph (1) or (3) of subsection (i) may not be issued a visa or admitted under section 101(a)(15)(B) for such purpose. Nothing in this paragraph may be construed to authorize the admission of an alien under section 101(a)(15)(B) who is coming to the United States for the purpose of performing skilled or unskilled labor if such admission is not otherwise authorized by law.''.

Subtitle B—Investigation and Disposition of Complaints Against H–1B Employers

SEC. 111. GENERAL MODIFICATION OF PROCEDURES FOR INVESTIGATION AND DISPOSITION.

Section 212(n)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(A)) is amended—

(1) by striking ''(A) Subject'' and inserting the following:

''(A)(i) Subject'';

(2) by striking ''12 months'' and inserting ''two years'';

(3) by striking the last sentence; and

(4) by adding at the end the following:

''(ii)(I) Upon the receipt of a complaint under clause (i), the Secretary may initiate an investigation to determine if such failure or misrepresentation has occurred.

''(II) In conducting an investigation under subclause (I), the Secretary may—

''(aa) conduct surveys of the degree to which employers comply with the requirements under this subsection; and

''(bb) conduct compliance audits of employers that employ H–1B nonimmigrants.

''(III) The Secretary shall—

''(aa) conduct annual compliance audits of not fewer than 1 percent of the employers that employ H–1B nonimmigrants during the applicable calendar year;

''(bb) conduct annual compliance audits of each employer with more than 100 employees who work in the United States if more than 15 percent of such employees are H–1B nonimmigrants; and

''(cc) make available to the public an executive summary or report describing the general findings of the audits carried out pursuant to this subclause.

''(iii) The process for receiving complaints under clause (i) shall include a hotline that is accessible 24 hours a day, by telephonic and electronic means.''.

SEC. 112. INVESTIGATION, WORKING CONDITIONS, AND PENALTIES.

Section 212(n)(2)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(C)) is amended—

(1) in clause (i)—

(A) in the matter preceding subclause (I), by striking ''a condition of paragraph (1)(B), (1)(E), or (1)(F), a substantial failure to meet a condition of paragraph (1)(C), (1)(D), or (1)(G)(i)(I)'' and inserting ''a condition under subparagraph (A), (B), (C), (D), (E), (F), (G)(i), (H), (I), or (J) of paragraph (1)'';

(B) in subclause (I)—

(i) by striking ''$1,000'' and inserting ''$5,000''; and

(ii) by striking ''and'' at the end;

(C) in subclause (II)—

(i) by striking ''the Attorney General shall not approve petitions'' and inserting ''the Secretary of Homeland Security or the Secretary of State, as appropriate, shall not approve petitions or applications'';

(ii) by striking ''under section 204 or 214(c)'' and inserting ''under section 101(a)(15)(E)(iii), 101(a)(15)(H)(i)(b1), 204, 214(c), or 214(e)''; and

(iii) by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(III) an employer that violates paragraph (1)(A) shall be liable to the employees harmed by such violation for lost wages and benefits.'';

(2) in clause (ii)—

(A) in subclause (I)—

(i) by striking ''may'' and inserting ''shall''; and

(ii) by striking ''$5,000'' and inserting ''$25,000'';

(B) in subclause (II)—

(i) by striking ''the Attorney General shall not approve petitions'' and inserting ''the Secretary of Homeland Security or the Secretary of State, as appropriate, shall not approve petitions or applications'';

(ii) by striking ''under section 204 or 214(c)'' and inserting ''under section 101(a)(15)(E)(iii), 101(a)(15)(H)(i)(b1), 204, 214(c), or 214(e)''; and

(iii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(III) an employer that violates paragraph (1)(A) shall be liable to the employees harmed by such violation for lost wages and benefits.'';

(3) in clause (iii)—

(A) in the matter preceding subclause (I), by striking ''the employer displaced a United States worker employed by the employer within the period beginning 90 days before and ending 90 days after the date of filing of any visa petition supported by the application'' and inserting ''a United States worker employed at a worksite that the employer supplies with nonimmigrant workers was displaced in violation of paragraph (1)(E) or the conditions of a waiver under subparagraph (E)'';

(B) in subclause (I)—

(i) by striking ''may'' and inserting ''shall'';

(ii) by striking ''$35,000'' and inserting ''$150,000''; and

(iii) by striking ''and'' at the end;

(C) in subclause (II)—

(i) by striking ''the Attorney General shall not approve petitions'' and inserting ''the Secretary of Homeland Security or the Secretary of State, as appropriate, shall not approve petitions or applications'';

(ii) by striking ''under section 204 or 214(c)'' and inserting ''under section 101(a)(15)(E)(iii), 101(a)(15)(H)(i)(b1), 204, 214(c), or 214(e)''; and

(iii) by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(III) an employer that violates paragraph (1)(A) shall be liable to the employees harmed by such violation for lost wages and benefits.'';

(4) by striking clause (iv) and inserting the following:

''(iv)(I) An employer that has filed an application under this subsection violates this clause by taking, failing to take, or threatening to take or fail to take a personnel action, or intimidating, threatening, restraining, coercing, blacklisting, discharging, or discriminating in any other manner against an employee because the employee—

''(aa) disclosed information that the employee reasonably believes evidences a violation of this subsection or any rule or regulation pertaining to this subsection; or

''(bb) cooperated or sought to cooperate with the requirements under this subsection or any rule or regulation pertaining to this subsection.

''(II) In this subparagraph, the term 'employee' includes—

''(aa) a current employee;

''(bb) a former employee; and

''(cc) an applicant for employment.

''(III) An employer that violates this clause shall be liable to the employee harmed by such violation for lost wages and benefits.''; and

(5) in clause (v)—

(A) by inserting ''(I)'' after ''(v)''; and

(B) by adding at the end the following:

''(II) Upon the termination of an H–1B nonimmigrant's employment on account of such alien's disclosure of information or cooperation in an investigation described in clause (iv), the nonimmigrant stay of any beneficiary and any dependents listed on the beneficiary's petition will be authorized and

the alien will not accrue any period of unlawful presence under section 212(a)(9) for a 90-day period or until the expiration of the authorized validity period, whichever comes first, following the date of such termination for the purpose of departure or extension of nonimmigrant status based upon a subsequent offer of employment.''; and

(6) in clause (vi)—

(A) by amending subclause (I) to read as follows:

''(I) It is a violation of this clause for an employer that has filed an application under this subsection—

''(aa) to require an H–1B nonimmigrant to pay a penalty or liquidated damages for ceasing employment with the employer before a date agreed to by the nonimmigrant and the employer; or

''(bb) to fail to offer to an H–1B nonimmigrant, during the nonimmigrant's period of authorized employment, on the same basis, and in accordance with the same criteria, as the employer offers to United States workers, benefits and eligibility for benefits, including—

''(AA) the opportunity to participate in health, life, disability, and other insurance plans;

''(BB) the opportunity to participate in retirement and savings plans; and

''(CC) cash bonuses and noncash compensation, such as stock options (whether or not based on performance).''; and

(B) in subclause (III), by striking ''$1,000'' and inserting ''$5,000''.

SEC. 113. WAIVER REQUIREMENTS.

(a) IN GENERAL.—Section 212(n)(2)(E) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(E)) is amended to read as follows:

''(E)(i) The Secretary of Labor may waive the prohibition under paragraph (1)(F) if the Secretary determines that the employer seeking such waiver has established that—

''(I) the employer with which the H–1B nonimmigrant would be placed—

''(aa) will not at any time displace a United States worker with 1 or more H–1B nonimmigrants; and

''(bb) has not displaced and will not displace a United States worker employed by the employer within the period beginning 180 days before the date of the placement of the nonimmigrant with the employer and ending 180 days after such date (not including any period of on-site or virtual training of H–1B nonimmigrants by employees of the employer);

''(II) the H–1B nonimmigrant will be principally controlled and supervised by the petitioning employer; and

''(III) the placement of the H–1B nonimmigrant is not essentially an arrangement to provide labor for hire for the employer with which the H–1B nonimmigrant will be placed.

''(ii) The Secretary shall grant or deny a waiver under this subparagraph not later than seven days after the date on which the Secretary receives an application for such waiver.''.

(b) RULEMAKING.—

(1) RULES FOR WAIVERS.—The Secretary of Labor, after notice and a period for comment, shall promulgate a final rule for an employer to apply for a waiver under section 212(n)(2)(E) of the Immigration and Nationality Act, as amended by subsection (a).

(2) REQUIREMENT FOR PUBLICATION.—The Secretary of Labor shall submit to Congress, and publish in the Federal Register and in other appropriate media, a notice of the date on which the rules required under paragraph (1) are promulgated.

SEC. 114. INITIATION OF INVESTIGATIONS.

Section 212(n)(2)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(G)) is amended—

(1) in clause (i), by striking ''if the Secretary of Labor'' and all that follows and inserting ''with regard to the employer's compliance with the requirements under this subsection.'';

(2) in clause (ii), by striking ''and whose identity'' and all that follows through ''failure or failures.'' and inserting ''the Secretary may conduct an investigation into the employer's compliance with the requirements under this subsection.'';

(3) in clause (iii), by striking the last sentence;

(4) by striking clauses (iv) and (v);

(5) by redesignating clauses (vi), (vii), and (viii) as clauses (iv), (v), and (vi), respectively;

(6) in clause (iv), as redesignated, by striking ''meet a condition described in clause (ii), unless the Secretary of Labor receives the information not later than 12 months'' and inserting ''comply with the requirements under this subsection unless the Secretary of Labor receives the information not later than 2 years'';

(7) by amending clause (v), as redesignated, to read as follows:

''(v)(I) Except as provided in subclause (II), the Secretary of Labor shall provide notice to an employer of the intent to conduct an investigation under this subparagraph. Such notice shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced.

''(II) The Secretary of Labor is not required to comply with subclause (I) if the Secretary determines that such compliance would interfere with an effort by the Secretary to investigate or secure compliance by the employer with the requirements under this subsection.

''(III) A determination by the Secretary of Labor under this clause shall not be subject to judicial review.'';

(8) in clause (vi), as redesignated, by striking ''An investigation'' and all that follows through ''the determination.'' and inserting ''If the Secretary of Labor, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the employer has failed to comply with the requirements under this subsection, the Secretary, not later than 120 days after the date of such determination, shall provide interested parties with notice of such determination and an opportunity for a hearing in accordance with section 556 of title 5, United States Code.''; and

(9) by adding at the end the following:

''(vii) If the Secretary of Labor, after a hearing, finds a reasonable basis to believe that the employer has violated the requirements under this subsection, the Secretary shall impose a penalty in accordance with subparagraph (C).''.

SEC. 115. INFORMATION SHARING.

Section 212(n)(2)(H) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(H)) is amended to read as follows:

''(H) The Director of U.S. Citizenship and Immigration Services shall provide the Secretary of Labor with any information contained in the materials submitted by employers of H–1B nonimmigrants as part of the petition adjudication process that indicates that the employer is not complying with visa program requirements for H–1B nonimmigrants. The Secretary may initiate and conduct an investigation and hearing under this paragraph after receiving information of noncompliance under this subparagraph.''.

SEC. 116. CONFORMING AMENDMENT.

Section 212(n)(2)(F) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(F)) is amended by striking ''The preceding sentence shall apply to an employer regardless of whether or not the employer is an H–1B-dependent employer.''.

Subtitle C—Other Protections

SEC. 121. POSTING AVAILABLE POSITIONS THROUGH THE DEPARTMENT OF LABOR.

(a) DEPARTMENT OF LABOR WEBSITE.—Section 212(n)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(3)) is amended to read as follows:

''(3)(A) Not later than 90 days after the date of the enactment of the H–1B and L–1 Visa Reform Act of 2023, the Secretary of Labor shall establish a searchable Internet website for posting positions in accordance with paragraph (1)(C) that is available to the public without charge.

''(B) The Secretary may work with private companies or nonprofit organizations to develop and operate the Internet website described in subparagraph (A).

''(C) The Secretary may promulgate rules, after notice and a period for comment, to carry out this paragraph.''.

(b) PUBLICATION REQUIREMENT.—The Secretary of Labor shall submit to Congress, and publish in the Federal Register and in other appropriate media, a notice of the date on which the internet website required under section 212(n)(3) of the Immigration and Nationality Act, as amended by subsection (a), will be operational.

(c) APPLICATION.—The amendment made by subsection (a) shall apply to any application filed on or after the date that is 30 days after the date described in subsection (b).

SEC. 122. TRANSPARENCY AND REPORT ON WAGE SYSTEM.

(a) IMMIGRATION DOCUMENTS.—Section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) is amended by adding at the end the following:

''(m) EMPLOYER TO PROVIDE IMMIGRATION PAPERWORK EXCHANGED WITH FEDERAL AGENCIES.—

''(1) IN GENERAL.—Not later than 21 business days after receiving a written request from a former, current, or prospective employee listed as the beneficiary of an employment-based nonimmigrant petition, the employer who filed such petition shall provide such beneficiary with the original (or a certified copy of the original) of all petitions, notices, and other written communication exchanged between the employer and the Department of Labor, the Department of Homeland Security, or any other Federal agency or department that is related to an immigrant or nonimmigrant petition filed by the employer for such employee or beneficiary.

''(2) WITHHOLDING OF FINANCIAL OR PROPRIETARY INFORMATION.—If a document required to be provided to an employee or prospective employee under paragraph (1) includes any sensitive financial or proprietary information of the employer, the employer may redact such information from the copies provided to such person.''.

(b) GAO REPORT ON JOB CLASSIFICATION AND WAGE DETERMINATIONS.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall prepare a report that—

(1) analyzes the accuracy and effectiveness of the Secretary of Labor's current job classification and wage determination system;

(2) specifically addresses whether the systems in place accurately reflect the complexity of current job types and geographic wage differences; and

(3) makes recommendations concerning necessary updates and modifications.

SEC. 123. REQUIREMENTS FOR INFORMATION FOR H–1B AND L–1 NONIMMIGRANTS.

Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184), as amended by this

Act, is further amended by adding at the end the following:

''(s) REQUIREMENTS FOR INFORMATION FOR H–1B AND L–1 NONIMMIGRANTS.—

''(1) IN GENERAL.—Upon issuing a visa to an applicant, who is outside the United States, for nonimmigrant status pursuant to subparagraph (H)(i)(b) or (L) of section 101(a)(15), the issuing office shall provide the applicant with—

''(A) a brochure outlining the obligations of the applicant's employer and the rights of the applicant with regard to employment under Federal law, including labor and wage protections;

''(B) the contact information for appropriate Federal agencies or departments that offer additional information or assistance in clarifying such obligations and rights; and

''(C) a copy of the petition submitted for the nonimmigrant under section 212(n) or the petition submitted for the nonimmigrant under subsection (c)(2)(A), as appropriate.

''(2) APPLICANTS INSIDE THE UNITED STATES.—Upon the approval of an initial petition filed for an alien who is in the United States and seeking status under subparagraph (H)(i)(b) or (L) of section 101(a)(15), the Secretary of Homeland Security shall provide the applicant with the material described in subparagraphs (A), (B), and (C) of paragraph (1).''.

SEC. 124. ADDITIONAL DEPARTMENT OF LABOR EMPLOYEES.

(a) IN GENERAL.—The Secretary of Labor is authorized to hire up to 200 additional employees to administer, oversee, investigate, and enforce programs involving nonimmigrant employees described in section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.,C. 1101(a)(15)(H)(i)(b)).

(b) SOURCE OF FUNDS.—The cost of hiring the additional employees authorized to be hired under subsection (a) shall be recovered with funds from the H–1B Administration, Oversight, Investigation, and Enforcement Account established under section 212(n)(6) of the Immigration and Nationality Act, as added by section 107.

SEC. 125. TECHNICAL CORRECTION.

Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by redesignating the second subsection (t), as added by section 1(b)(2)(B) of the Act entitled ''An Act to amend and extend the Irish Peace Process Cultural and Training Program Act of 1998'' (Public Law 108–449; 118 Stat. 3470), as subsection (u).

SEC. 126. APPLICATION.

Except as specifically otherwise provided, the amendments made by this title shall apply to petitions and applications filed on or after the date of the enactment of this Act.

TITLE II—L–1 VISA FRAUD AND ABUSE PROTECTIONS

SEC. 201. PROHIBITION ON DISPLACEMENT OF UNITED STATES WORKERS AND RESTRICTING OUTPLACEMENT OF L–1 NONIMMIGRANTS.

(a) RESTRICTION ON OUTPLACEMENT OF L–1 WORKERS.—Section 214(c)(2)(F) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)(F)) is amended to read as follows:

''(F)(i) Unless an employer receives a waiver under clause (ii), an employer may not employ an alien, for a cumulative period exceeding 1 year, who—

''(I) will serve in a capacity involving specialized knowledge with respect to an employer for purposes of section 101(a)(15)(L); and

''(II) will be stationed primarily at the worksite of an employer other than the petitioning employer or its affiliate, subsidiary, or parent, including pursuant to an outsourcing, leasing, or other contracting agreement.

''(ii) The Secretary of Labor may grant a waiver of the requirements under clause (i) if the Secretary determines that the employer requesting such waiver has established that—

''(I) the employer with which the alien referred to in clause (i) would be placed—

''(aa) will not at any time displace (as defined in section 212(n)(4)(B)) a United States worker (as defined in section 212(n)(4)(E)) with 1 or more nonimmigrants described in section 101(a)(15)(L); and

''(bb) has not displaced and will not displace (as defined in section 212(n)(4)(B)) a United States worker (as defined in section 212(n)(4)(E)) employed by the employer within the period beginning 180 days before the date of the placement of such alien with the employer and ending 180 days after such date (not including any period of on-site or virtual training of nonimmigrants described in section 101(a)(15)(L) by employees of the employer);

''(II) such alien will be principally controlled and supervised by the petitioning employer; and

''(III) the placement of the nonimmigrant is not essentially an arrangement to provide labor for hire for an unaffiliated employer with which the nonimmigrant will be placed, rather than a placement in connection with the provision of a product or service for which specialized knowledge specific to the petitioning employer is necessary.

''(iii) The Secretary shall grant or deny a waiver under clause (ii) not later than seven days after the date on which the Secretary receives the application for the waiver.''.

(b) PROHIBITION ON DISPLACEMENT OF UNITED STATES WORKERS.—Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)) is amended by adding at the end the following:

''(G)(i) An employer importing an alien as a nonimmigrant under section 101(a)(15)(L)—

''(I) may not at any time displace (as defined in section 212(n)(4)(B)) a United States worker (as defined in section 212(n)(4)(E)) with 1 or more such nonimmigrants; and

''(II) may not displace (as defined in section 212(n)(4)(B)) a United States worker (as defined in section 212(n)(4)(E)) employed by the employer during the period beginning 180 days before and ending 180 days after the date of the placement of such a nonimmigrant with the employer.

''(ii) The 180-day periods referenced in clause (i) may not include any period of onsite or virtual training of nonimmigrants described in clause (i) by employees of the employer.''.

(c) RULEMAKING.—The Secretary of Homeland Security, after notice and a period for comment, shall promulgate rules for an employer to apply for a waiver under section 214(c)(2)(F)(ii), as added by subsection (a).

SEC. 202. L–1 EMPLOYER PETITION REQUIREMENTS FOR EMPLOYMENT AT NEW OFFICES.

Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)), as amended by section 201, is further amended by adding at the end the following:

''(H)(i) If the beneficiary of a petition under this paragraph is coming to the United States to open, or to be employed in, a new office, the petition may be approved for up to 12 months only if—

''(I) the alien has not been the beneficiary of 2 or more petitions under this subparagraph during the immediately preceding 2 years; and

''(II) the employer operating the new office has—

''(aa) an adequate business plan;

''(bb) sufficient physical premises to carry out the proposed business activities; and

''(cc) the financial ability to commence doing business immediately upon the approval of the petition.

''(ii) An extension of the approval period under clause (i) may not be granted until the importing employer submits an application to the Secretary of Homeland Security that contains—

''(I) evidence that the importing employer meets the requirements of this subsection;

''(II) evidence that the beneficiary of the petition is eligible for nonimmigrant status under section 101(a)(15)(L);

''(III) a statement summarizing the original petition;

''(IV) evidence that the importing employer has fully complied with the business plan submitted under clause (i)(I);

''(V) evidence of the truthfulness of any representations made in connection with the filing of the original petition;

''(VI) evidence that the importing employer, for the entire period beginning on the date on which the petition was approved under clause (i), has been doing business at the new office through regular, systematic, and continuous provision of goods and servvices;

''(VII) a statement of the duties the beneficiary has performed at the new office during the approval period under clause (i) and the duties the beneficiary will perform at the new office during the extension period granted under this clause;

''(VIII) a statement describing the staffing at the new office, including the number of employees and the types of positions held by such employees;

''(IX) evidence of wages paid to employees;

''(X) evidence of the financial status of the new office; and

''(XI) any other evidence or data prescribed by the Secretary.

''(iii) A new office employing the beneficiary of an L–1 petition approved under this paragraph shall do business only through regular, systematic, and continuous provision of goods and services for the entire period for which the petition is sought.

''(iv) Notwithstanding clause (ii), and subject to the maximum period of authorized admission set forth in subparagraph (D), the Secretary of Homeland Security, in the Secretary's discretion, may approve a subsequently filed petition on behalf of the beneficiary to continue employment at the office described in this subparagraph for a period beyond the initially granted 12-month period if the importing employer has been doing business at the new office through regular, systematic, and continuous provision of goods and services for the 6 months immediately preceding the date of extension petition filing and demonstrates that the failure to satisfy any of the requirements described in those subclauses was directly caused by extraordinary circumstances, as determined by the Secretary in the Secretary's discretion.''.

SEC. 203. COOPERATION WITH SECRETARY OF STATE.

Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)), as amended by sections 201 and 202, is further amended by adding at the end the following:

''(I) The Secretary of Homeland Security shall work cooperatively with the Secretary of State to verify the existence or continued existence of a company or office in the United States or in a foreign country for purposes of approving petitions under this paragraph.''.

SEC. 204. INVESTIGATION AND DISPOSITION OF COMPLAINTS AGAINST L–1 EMPLOYERS.

Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)), as

amended by sections 201 through 203, is further amended by adding at the end the following:

''(J)(i) The Secretary of Homeland Security may initiate an investigation of any employer that employs nonimmigrants described in section 101(a)(15)(L) with regard to the employer's compliance with the requirements under this subsection.

''(ii) If the Secretary receives specific credible information from a source who is likely to have knowledge of an employer's practices, employment conditions, or compliance with the requirements under this subsection, the Secretary may conduct an investigation into the employer's compliance with the requirements of this subsection. The Secretary may withhold the identity of the source from the employer, and the source's identity shall not be subject to disclosure under section 552 of title 5, United States Code.

''(iii) The Secretary shall establish a procedure for any person desiring to provide to the Secretary information described in clause (ii) that may be used, in whole or in part, as the basis for the commencement of an investigation described in such clause, to provide the information in writing on a form developed and provided by the Secretary and completed by or on behalf of the person.

''(iv) No investigation described in clause (ii) (or hearing described in clause (vi) based on such investigation) may be conducted with respect to information about a failure to comply with the requirements under this subsection, unless the Secretary receives the information not later than 24 months after the date of the alleged failure.

''(v) Before commencing an investigation of an employer under clause (i) or (ii), the Secretary shall provide notice to the employer of the intent to conduct such investigation. The notice shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced. The Secretary is not required to comply with this clause if the Secretary determines that to do so would interfere with an effort by the Secretary to investigate or secure compliance by the employer with the requirements of this subsection. There shall be no judicial review of a determination by the Secretary under this clause.

''(vi) If the Secretary, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the employer has failed to comply with the requirements under this subsection, the Secretary shall provide the interested parties with notice of such determination and an opportunity for a hearing in accordance with section 556 of title 5, United States Code, not later than 120 days after the date of such determination. If such a hearing is requested, the Secretary shall make a finding concerning the matter by not later than 120 days after the date of the hearing.

''(vii) If the Secretary, after a hearing, finds a reasonable basis to believe that the employer has violated the requirements under this subsection, the Secretary shall impose a penalty under subparagraph (L).

''(viii)(I) The Secretary may conduct surveys of the degree to which employers comply with the requirements under this section.

''(II) The Secretary shall—

''(aa) conduct annual compliance audits of not less than 1 percent of the employers that employ nonimmigrants described in section 101(a)(15)(L) during the applicable fiscal year;

''(bb) conduct annual compliance audits of each employer with more than 100 employees who work in the United States if more than 15 percent of such employees are nonimmigrants described in section 101(a)(15)(L); and

''(cc) make available to the public an executive summary or report describing the general findings of the audits carried out pursuant to this subclause.

''(ix) The Secretary is authorized to take other such actions, including issuing subpoenas and seeking appropriate injunctive relief and specific performance of contractual obligations, as may be necessary to assure employer compliance with the terms and conditions under this paragraph. The rights and remedies provided to nonimmigrants described in section 101(a)(15)(L) under this paragraph are in addition to, and not in lieu of, any other contractual or statutory rights and remedies of such nonimmigrants, and are not intended to alter or affect such rights and remedies.''.

SEC. 205. WAGE RATE AND WORKING CONDITIONS FOR L–1 NONIMMIGRANTS.

(a) IN GENERAL.—Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)), as amended by sections 201 through 204, is further amended by adding at the end the following:

''(K)(i) An employer that employs a nonimmigrant described in section 101(a)(15)(L) for a cumulative period of time in excess of 1 year shall—

''(I) offer such nonimmigrant, during the period of authorized employment, wages, based on the best information available at the time the application is filed, which are not less than the highest of—

''(aa) the locally determined prevailing wage level for the occupational classification in the area of employment;

''(bb) the median wage for all workers in the occupational classification in the area of employment; and

''(cc) the median wage for skill level 2 in the occupational classification found in the most recent Occupational Employment Statistics survey; and

''(II) provide working conditions for such nonimmigrant that will not adversely affect the working conditions of workers similarly employed by the employer or by an employer with which such nonimmigrant is placed pursuant to a waiver under subparagraph (F)(ii).

''(ii) If an employer, in such previous period specified by the Secretary of Homeland Security, employed 1 or more such nonimmigrants, the employer shall provide to the Secretary of Homeland Security the Internal Revenue Service Form W–2 Wage and Tax Statement filed by the employer with respect to such nonimmigrants for such period.

''(iii) It is a failure to meet a condition under this subparagraph for an employer who has filed a petition to import 1 or more aliens as nonimmigrants described in section 101(a)(15)(L)—

''(I) to require such a nonimmigrant to pay a penalty or liquidated damages for ceasing employment with the employer before a date mutually agreed to by the nonimmigrant and the employer; or

''(II) to fail to offer to such a nonimmigrant, during the nonimmigrant's period of authorized employment, on the same basis, and in accordance with the same criteria, as the employer offers to United States workers, benefits and eligibility for benefits, including—

''(aa) the opportunity to participate in health, life, disability, and other insurance plans;

''(bb) the opportunity to participate in retirement and savings plans; and

''(cc) cash bonuses and noncash compensation, such as stock options (whether or not based on performance).''.

(b) RULEMAKING.—The Secretary of Homeland Security, after notice and a period of comment and taking into consideration any special circumstances relating to intracompany transfers, shall promulgate rules to implement the requirements under section 214(c)(2)(K) of the Immigration and Nationality Act, as added by subsection (a).

SEC. 206. PENALTIES.

Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)), as amended by sections 201 through 205, is further amended by adding at the end the following:

''(L)(i) If the Secretary of Homeland Security determines, after notice and an opportunity for a hearing, that an employer failed to meet a condition under subparagraph (F), (G), (K), or (M), or misrepresented a material fact in a petition to employ 1 or more aliens as nonimmigrants described in section 101(a)(15)(L)—

''(I) the Secretary shall impose such administrative remedies (including civil monetary penalties in an amount not to exceed $5,000 per violation) as the Secretary determines to be appropriate;

''(II) the Secretary of Homeland Security or the Secretary of State, as appropriate, shall not approve petitions or applications filed with respect to that employer during a period of at least 1 year for 1 or more aliens to be employed as such nonimmigrants by the employer; and

''(III) in the case of a violation of subparagraph (K) or (M), the employer shall be liable to the employees harmed by such violation for lost wages and benefits.

''(ii) If the Secretary finds, after notice and an opportunity for a hearing, a willful failure by an employer to meet a condition under subparagraph (F), (G), (K), or (M) or a willful misrepresentation of material fact in a petition to employ 1 or more aliens as nonimmigrants described in section 101(a)(15)(L)—

''(I) the Secretary shall impose such administrative remedies (including civil monetary penalties in an amount not to exceed $25,000 per violation) as the Secretary determines to be appropriate;

''(II) the Secretary of Homeland Security or the Secretary of State, as appropriate, shall not approve petitions or applications filed with respect to that employer during a period of at least 2 years for 1 or more aliens to be employed as such nonimmigrants by the employer; and

''(III) in the case of a violation of subparagraph (K) or (M), the employer shall be liable to the employees harmed by such violation for lost wages and benefits.''.

SEC. 207. PROHIBITION ON RETALIATION AGAINST L–1 NONIMMIGRANTS.

Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)), as amended by sections 201 through 206, is further amended by adding at the end the following:

''(M)(i) An employer that has filed a petition to import 1 or more aliens as nonimmigrants described in section 101(a)(15)(L) violates this subparagraph by taking, failing to take, or threatening to take or fail to take, a personnel action, or intimidating, threatening, restraining, coercing, blacklisting, discharging, or discriminating in any other manner against an employee because the employee—

''(I) has disclosed information that the employee reasonably believes evidences a violation of this subsection, or any rule or regulation pertaining to this subsection; or

''(II) cooperates or seeks to cooperate with the requirements under this subsection, or any rule or regulation pertaining to this subsection.

''(ii) Upon termination of the employment of an alien described in section 101(a)(15)(L) on account of actions by such alien described in subclauses (I) and (II) of clause (i), such

alien's nonimmigrant stay and the stay of any beneficiary and any dependents listed on the beneficiary's petition or application will be authorized and the aliens will not accrue any period of unlawful presence under section 212(a)(9) for a 90-day period or upon the expiration of the authorized validity period, whichever comes first, following the date of such termination for the purpose of departure or extension of nonimmigrant status based upon a subsequent offer of employment.

''(iii) In this subparagraph, the term 'employee' includes—

''(I) a current employee;

''(II) a former employee; and

''(III) an applicant for employment.''.

SEC. 208. ADJUDICATION BY DEPARTMENT OF HOMELAND SECURITY OF PETITIONS UNDER BLANKET PETITION.

(a) IN GENERAL.—Section 214(c)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)(A)) is amended to read as follows:

''(A) The Secretary of Homeland Security shall establish a procedure under which an importing employer that meets the requirements established by the Secretary may file a blanket petition with the Secretary to authorize aliens to enter the United States as nonimmigrants described in section 101(a)(15)(L) instead of filing individual petitions under paragraph (1) on behalf of such aliens. Such procedure shall permit—

''(i) the expedited adjudication by the Secretary of Homeland Security of individual petitions covered under such blanket petitions; and

''(ii) the expedited processing by the Secretary of State of visas for admission of aliens covered under such blanket petitions.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to petitions filed on or after the date of the enactment of this Act.

SEC. 209. REPORTS ON EMPLOYMENT-BASED NONIMMIGRANTS.

(a) IN GENERAL.—Section 214(c)(8) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(8)) is amended to read as follows—

''(8) The Secretary of Homeland Security or Secretary of State, as appropriate, shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that describes, with respect to petitions under subsection (e) and each subcategory of subparagraphs (H), (L), (O), (P), and (Q) of section 101(a)(15)—

''(A) the number of such petitions (or applications for admission, in the case of applications by Canadian nationals seeking admission under subsection (e) or section 101(a)(15)(L)) which have been filed;

''(B) the number of such petitions which have been approved and the number of workers (by occupation) included in such approved petitions;

''(C) the number of such petitions which have been denied and the number of workers (by occupation) requested in such denied petitions;

''(D) the number of such petitions which have been withdrawn;

''(E) the number of such petitions which are awaiting final action;

''(F) the number of aliens in the United States under each subcategory under section 101(a)(15)(H); and

''(G) the number of aliens in the United States under each subcategory under section 101(a)(15)(L).''.

(b) NONIMMIGRANT CHARACTERISTICS REPORT.—Section 416(c) of the American Competitiveness and Workforce Improvement Act of 1998 (8 U.S.C. 1184 note) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) ANNUAL H–1B NONIMMIGRANT CHARACTERISTICS REPORT.—The Secretary of Homeland Security shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains—

''(A) for the previous fiscal year—

''(i) information on the countries of origin of, occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b));

''(ii) a list of all employers who petitioned for H–1B workers, the number of such petitions filed and approved for each such employer, the occupational classifications for the approved positions, and the number of H–1B nonimmigrants for whom each such employer filed an employment-based immigrant petition pursuant to section 204(a)(1)(F) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(F)); and

''(iii) the number of employment-based immigrant petitions filed pursuant to such section 204(a)(1)(F) on behalf of H–1B nonimmigrants;

''(B) a list of all employers for whom more than 15 percent of their United States workforce is H–1B or L–1 nonimmigrants;

''(C) a list of all employers for whom more than 50 percent of their United States workforce is H–1B or L–1 nonimmigrants;

''(D) a gender breakdown by occupation and by country of origin of H–1B nonimmigrants;

''(E) a list of all employers who have been granted a waiver under section 214(n)(2)(E) of the Immigration and Nationality Act (8 U.S.C. 1184(n)(2)(E)); and

''(F) the number of H–1B nonimmigrants categorized by their highest level of education and whether such education was obtained in the United States or in a foreign country.'';

(2) by redesignating paragraph (3) as paragraph (5);

(3) by inserting after paragraph (2) the following:

''(3) ANNUAL L–1 NONIMMIGRANT CHARACTERISTICS REPORT.—The Secretary of Homeland Security shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains—

''(A) for the previous fiscal year—

''(i) information on the countries of origin of, occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or provided nonimmigrant status under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L));

''(ii) a list of all employers who petitioned for L–1 workers, the number of such petitions filed and approved for each such employer, the occupational classifications for the approved positions, and the number of L–1 nonimmigrants for whom each such employer filed an employment-based immigrant petition pursuant to section 204(a)(1)(F) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(F)); and

''(iii) the number of employment-based immigrant petitions filed pursuant to such section 204(a)(1)(F) on behalf of L–1 nonimmigrants;

''(B) a gender breakdown by occupation and by country of L–1 nonimmigrants;

''(C) a list of all employers who have been granted a waiver under section 214(c)(2)(F)(ii) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)(F)(ii));

''(D) the number of L–1 nonimmigrants categorized by their highest level of education and whether such education was obtained in the United States or in a foreign country;

''(E) the number of applications that have been filed for each subcategory of nonimmigrant described under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), based on an approved blanket petition under section 214(c)(2)(A) of such Act; and

''(F) the number of applications that have been approved for each subcategory of nonimmigrant described under such section 101(a)(15)(L), based on an approved blanket petition under such section 214(c)(2)(A).

''(4) ANNUAL H–1B EMPLOYER SURVEY.—The Secretary of Labor shall—

''(A) conduct an annual survey of employers hiring foreign nationals under the H–1B visa program; and

''(B) issue an annual report that—

''(i) describes the methods employers are using to meet the requirement under section 212(n)(1)(G)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)(G)(i)) of taking good faith steps to recruit United States workers for the occupational classification for which the nonimmigrants are sought, using procedures that meet industry-wide standards;

''(ii) describes the best practices for recruiting among employers; and

''(iii) contains recommendations on which recruiting steps employers can take to maximize the likelihood of hiring American workers.''; and

(4) in paragraph (5), as redesignated, by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''.

SEC. 210. SPECIALIZED KNOWLEDGE.

Section 214(c)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)(B)) is amended to read as follows:

''(B)(i) For purposes of section 101(a)(15)(L), the term 'specialized knowledge'—

''(I) means knowledge possessed by an individual whose advanced level of expertise and proprietary knowledge of the employer's product, service, research, equipment, techniques, management, or other interests of the employer are not readily available in the United States labor market;

''(II) is clearly unique from those held by others employed in the same or similar occupations; and

''(III) does not apply to persons who have general knowledge or expertise which enables them merely to produce a product or provide a service.

''(ii)(I) The ownership of patented products or copyrighted works by a petitioner under section 101(a)(15)(L) does not establish that a particular employee has specialized knowledge. In order to meet the definition under clause (i), the beneficiary shall be a key person with knowledge that is critical for performance of the job duties and is protected from disclosure through patent, copyright, or company policy.

''(II) Unique procedures are not proprietary knowledge within this context unless the entire system and philosophy behind the procedures are clearly different from those of other firms, they are relatively complex, and they are protected from disclosure to competition.''.

SEC. 211. TECHNICAL AMENDMENTS.

(a) DELEGATION OF AUTHORITY.—Section 212(n)(5)(F) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(5)(F)) is amended by striking ''Department of Justice'' and inserting ''Department of Homeland Security''.

(b) PETITIONS FOR CERTAIN NONIMMIGRANT VISAS.—Section 214(c) of such Act (8 U.S.C. 1184(c)) is amended by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''.

SEC. 212. APPLICATION.

Except as otherwise specifically provided, the amendments made by this title shall apply to petitions and applications filed on or after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 125—SUPPORTING THE GOALS AND IDEALS OF SOCIAL WORK MONTH AND WORLD SOCIAL WORK DAY ON MARCH 21, 2023

Ms. STABENOW (for herself and Ms. SINEMA) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 125

Whereas social workers enter the profession of social work because they have a strong desire to help empower the individuals, families, and communities of the United States to overcome issues that prevent them from reaching their full potential;

Whereas, for more than a century, social workers have improved human health and well-being and enhanced the basic needs of all individuals;

Whereas social workers follow a code of ethics that calls on them to fight social injustice and respect the dignity and worth of all individuals;

Whereas, each day, social workers positively touch the lives of millions of individuals in the United States in an array of settings, including schools, hospitals, the military, child welfare agencies, community centers, and Federal, State, and local governments;

Whereas the 2023 Social Work Month theme, ''Social Work Breaks Barriers'', embodies how social workers help empower the individuals, families, and communities of the United States to overcome hurdles that prevent them from achieving better health and well-being;

Whereas social workers are one of the largest providers of mental health, behavioral health, and social care services in the United States, working daily to help thousands of individuals in the United States overcome mental illnesses, such as depression and anxiety, and meet basic needs;

Whereas social workers are on the frontlines of the addiction crisis in the United States, helping individuals get necessary treatment and prevail over substance use disorders;

Whereas social workers help individuals cope with death and grief;

Whereas social workers help people and communities recover from natural disasters that are increasingly fueled by a warming climate, including hurricanes, drought, and flooding;

Whereas social workers continue to help the United States live up to its values by advocating for equal rights for all, including people of color, people who are indigenous, people who are LBGTQIA2S+, and people who follow various faiths;

Whereas the social work profession is one of the fastest growing professions in the United States, but the workforce is still not large enough to meet the demand;

Whereas there is a need to make a meaningful investment in recruitment and retention within the social work profession;

Whereas social workers serve in all levels of government;

Whereas social workers have continued to push for changes that have made the United States a better place to live, including a livable wage, improved workplace safety, and social safety net programs that help ameliorate poverty, hunger, and homelessness; and

Whereas social workers endeavor to work throughout society to meet individuals where they are and help empower those individuals and society to reach meaningful goals: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Social Work Month and World Social Work Day on March 21, 2023;

(2) recognizes with gratitude the contributions of the millions of social workers who have advanced the health and well-being of individuals, families, communities, and the United States since the founding of the social work profession more than a century ago and who continue to do so today;

(3) acknowledges the diligent efforts of the individuals and groups who promote the importance of social work and observe Social Work Month and World Social Work Day; and

(4) encourages individuals to engage in appropriate ceremonies and activities to promote further awareness of the life-changing role that social workers play.

AMENDMENTS SUBMITTED AND PROPOSED

SA 47. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table.

SA 48. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, supra; which was ordered to lie on the table.

SA 49. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, supra; which was ordered to lie on the table.

SA 50. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, supra; which was ordered to lie on the table.

SA 51. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, supra; which was ordered to lie on the table.

SA 52. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, supra; which was ordered to lie on the table.

SA 53. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, supra; which was ordered to lie on the table.

SA 54. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, supra; which was ordered to lie on the table.

SA 55. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 316, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 47. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. SENSE OF THE SENATE ON RESPONSES TO UNIDENTIFIED AERIAL PHENOMENA.

(a) FINDINGS.—Congress makes the following findings:

(1) The commander of the United States Northern Command has said that the United States faces domain awareness gaps.

(2) Department of Defense efforts to identify and track unidentified aerial phenomena to date have used expensive and scarce resources, including fighter aircraft.

(3) Other Federal agencies, including U.S. Customs and Border Protection, possess aircraft and radar capabilities that could identify and track unidentified aerial phenomena.

(4) Non-Federal aircraft and radar could augment future Department of Defense efforts to identify and track unidentified aerial phenomena.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) air domain awareness gaps may be closed through better use of existing capabilities within other Federal agencies and in non-Federal entities in partnership with the Department of Defense;

(2) the Department of Defense should report to Congress on the legal authorities required to enhance cooperation with other Federal agencies and non-Federal partners in the identification and tracking of unidentified aerial phenomena; and

(3) the Department of Defense should develop plans to partner with non-Federal entities to leverage currently available capabilities, including aircraft and radar capabilities, to close air domain awareness gaps and reduce the potential threat from unidentified aerial phenomena.

SA 48. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

On page 1, line 3, strike ''1 day'' and insert ''2 days''.

SA 49. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

On page 1, line 3, strike ''3 days'' and insert ''4 days''.

SA 50. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

On page 1, line 3, strike ''4 days'' and insert ''5 days''.

SA 51. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 7 days after the date of the enactment of this Act.

SA 52. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table; as follows:

On page 1, line 3, strike ''7 days'' and insert ''8 days''.

SA 53. Mr. SCHUMER submitted an amendment intended to be proposed by